



05-10-01

PTO/SB/29 (10-00)

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2811

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:
 DUPLICATE

Address to: Assistant Commissioner for Patents
Box CPA
Washington, D. C. 20231

Attorney Docket No. of Prior Application 042390P5488D6

First Named Inventor Chia-Hong Jan et al.

Examiner Name Vu, H.

Group Art Unit 2811

Express Mail Label No. Via Fascimile May 8, 2001

This is a request for a continuation or divisional under 37 CFR 1.53(d)

(continuation prosecution application (CPA)) of prior application No: 09/477,764,

filed on January 4, 2000, entitled A DEVICE HAVING RECESSED SPACERS FOR IMPROVED SALICIDE RESISTANCE ON POLYSILICON GATES

If the Patent and Trademark Office determines that this request under 37 CFR 1.53(d) is improper, the Office is requested to treat this CPA as a request for continued examination of the above identified application under 37 CFR 1.114.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application practice," Final rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - a. **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. PTO - 1449
 - b. Copies of IDS Citations

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CLAIMS

(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 CFR 1.16(c) or (i))	7 - 20* =	0	X \$18.00 =	\$ 0.00
Independent Claims (37 CFR 1.16(b) or (i))	1 - 3** =	0	X \$80.00 =	\$ 0.00
Multiple Dependent Claims (if applicable) (37 CFR 1.16(d))			+ \$270.00 =	\$ _____
			BASIC FEE (37 CFR 1.16(a))	\$ 710.00

Total of above Calculations = \$ 710.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27). \$ _____

* Reissue claims in excess of 20 and over original patent.
** Reissue independent claims over original patent.

6. Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02-2666.

- Fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.
- Fees required under 37 CFR 1.18.

8. A check in the amount of \$ _____ is enclosed.

9. Payment by credit card. Form PTO-2038 is attached.

10. Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11. New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
b. Return Receipt Postcard (Should be specially itemized, See MPEP 503)

13. Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. (Reminder: First investigate foreign filing question).

14. Other: If necessary, Applicant hereby respectfully petitions pursuant to 37 C.F.R. §1.136 for a two month extension of time to respond to the Final Office Action mailed December 8, 2000

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label
OR
(Insert Customer No. or Attach Bar Code Label here)

New Correspondence Address Below
NAME Michael A. Bernadicou

ADDRESS BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard

CITY Los Angeles STATE California ZIP CODE 90025-1026
COUNTRY USA TELEPHONE (408) 720-8300 FAX (408) 720-9397

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME Michael A. Bernadicou SIGNATURE M. A. Bernadicou
REGISTRATION NO. 35,934 DATE 5/8/01

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1279 OAKMEAD PARKWAY
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(408) 720-8300 (Telephone)
(408) 720-9397 (Facsimile)

FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)

Deliver to: Janice Robinson

Firm Name: U.S. PATENT AND TRADEMARK OFFICE

Fax Number: (703) 308-5841 **Telephone No.:** (703) 308-3298

From: Michael A. Bernadicou

Date: May 8, 2001 **Time:** 3:06 pm

Operator: Teresa Edwards **Matter:** 042390P5488D6

Number of pages including cover sheet: 5

In Re Patent Application of: _____

Application No.: 09/477,764

Filed: January 4, 2000

For: A DEVICE HAVING RECESSED SPACERS FOR IMPROVED SALICIDE
RESISTANCE ON POLYSILICON GATES

Enclosed are the following documents: Per your request please find enclosed a
Continued Prosecution Application (CPA) including authorization to charge
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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on:

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FACSIMILE TRANSMITTAL SHEET (TRANSMITTAL TO PTO)Deliver to: Janice RobinsonFirm Name: U.S. PATENT AND TRADEMARK OFFICEFax Number: (703) 308-5841 Telephone No.: (703) 308-3298From: Michael A. BernadicouDate: May 8, 2001 Time: 3:06 pmOperator: Teresa Edwards Matter: 042390P5488D6Number of pages including cover sheet: 5

In Re Patent Application of: _____

Application No.: 09/477,764Filed: January 4, 2000For: A DEVICE HAVING RECESSED SPACERS FOR IMPROVED SALICIDE
RESISTANCE ON POLYSILICON GATESEnclosed are the following documents: Per your request please find enclosed a
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deposit account 02-2666 for CPA fee \$710.

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Date of Deposit: May 8, 2001

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Teresa Edwards

(Typed or printed name of person mailing paper or fee)

Teresa Edwards

(Signature of person mailing paper or fee)

May 8, 2001

(Date signed)

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Teresa Edwards

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Teresa Edwards

(Signature of person mailing paper or fee)

May 8, 2001

(Date signed)



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(Typed or printed name of person mailing paper or fee)

TERESA Edwards

(Signature of person mailing paper or fee)

May 8, 2001

(Date signed)

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Serial/Patent No.: 09/477,764 Filing/Issue Date: January 4, 2000

Client: Intel Corporation

Title: A DEVICE HAVING RECESSED SPACERS FOR IMPROVED SALICIDE RESISTANCE ON POLYSILICON GATES

bstz File No.: 042390P5488D6

Date Mailed: May 8, 2001 Atty/Secty Initials: MaB/GC/te

Docket Due Date: March 8, 2001

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

Amendment/Response (____ pgs.) Express Mail No.: EL672746941US Check No. _____
 Appeal Brief (____ pgs.) (in triplicate) TWO Month(s) Extension of Time Amt: _____
 Application - Utility (____ pgs., with cover and abstract) Information Disclosure Statement & PTO 1449 (____ pgs.) Check No. _____
 Application - Rule 1.53(b) Continuation (____ pgs.) Issue Fee Transmittal Amt: _____
 Application - Rule 1.53(b) Divisional (____ pgs.) Notice of Appeal _____
 Application - Rule 1.53(b) CIP (____ pgs.) Petition for Extension of Time _____
 Application - Rule 1.53(d) CPA Transmittal (____ pgs.) Petition for _____
 Application - Design (____ pgs.) Postcard _____
 Application - PCT (____ pgs.) Power of Attorney (____ pgs.)
 Application - Provisional (____ pgs.) Preliminary Amendment (____ pgs.)
 Assignment and Cover Sheet Reply Brief (____ pgs.)
 Certificate of Mailing Response to Notice of Missing Parts
 Declaration & POA (____ pgs.) Small Entity Declaration for Indep. Inventor/Small Business
 Disclose Dcts & Oig & Cpy of hentos Signed Later (____ pgs.) Transmittal Letter, in duplicate
 Drawings: _____ # of sheets includes _____ figures Fee Transmittal, in duplicate
 Other: Express Mail Certificate of Mailing
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